

## EXHIBIT D

3rd Cld 1. G.S. 11-1

5/7/21  
7/27 ME

1/22

H.G. 7-27-94

INDICTMENT

SUPREME COURT OF THE STATE OF NEW YORK  
COUNTY OF QUEENS

THE PEOPLE OF THE STATE OF NEW YORK

AGAINST

XJ. ARSHAD ISHMAIL - VFO  
DEFENDANT  
94Q024354  
NYSID# 7728992J

XJ. RAYMOND LEONARD - VFO  
DEFENDANT  
94Q024594  
NYSID# 5717326H

FILED:  
INDICTMENT NO. 3314/94

JUL 29 1994

110/125.25-1	ATTEMPTED MURDER IN THE SECOND DEGREE (1)	(ISHMAIL, ARSHAD) (LEONARD, RAYMOND)
160.15-1	ROBBERY IN THE FIRST DEGREE (2)	(ISHMAIL, ARSHAD) (LEONARD, RAYMOND)
160.15-3	ROBBERY IN THE FIRST DEGREE (3)	(ISHMAIL, ARSHAD) (LEONARD, RAYMOND)
120.10-1	ASSAULT IN THE FIRST DEGREE (4)	(ISHMAIL, ARSHAD) (LEONARD, RAYMOND)
160.10-1	ROBBERY IN THE SECOND DEGREE (5)	(ISHMAIL, ARSHAD) (LEONARD, RAYMOND)
160.10-2A	ROBBERY IN THE SECOND DEGREE (6)	(ISHMAIL, ARSHAD) (LEONARD, RAYMOND)
265.01-2	CRIMINAL POSSESSION OF A WEAPON IN THE FOURTH DEGREE (7)	(ISHMAIL, ARSHAD) (LEONARD, RAYMOND)

FEB - 1 1995 AS to Raymond Leonard only  
Pursuant to CPL 210.20 (1A), on motion of the  
defendant, the court reduced the  
lesser included offense of ATTEMPTED MURDER to the  
FEB - 1 1995 AS to Raymond Leonard  
CPL 210.20 (1A) Dismissed  
HON. JOHN J. CLABBY  
CLABBY

FIRST COUNT

THE GRAND JURY OF THE COUNTY OF QUEENS BY THIS  
INDICTMENT, ACCUSE THE DEFENDANTS OF THE CRIME OF ATTEMPTED  
MURDER IN THE SECOND DEGREE COMMITTED AS FOLLOWS:

THE DEFENDANTS, EACH AIDING THE OTHER AND ACTING IN  
CONCERT WITH OTHER PERSONS, ON OR ABOUT JULY 4, 1994, IN THE  
COUNTY OF QUEENS, WITH INTENT TO CAUSE THE DEATH OF NARIENDATH  
ITWARU, ATTEMPTED TO CAUSE THE DEATH OF NARIENDATH ITWARU BY  
MEANS OF A DANGEROUS INSTRUMENT, TO WIT: A KNIFE.

SECOND COUNT

THE GRAND JURY OF THE COUNTY OF QUEENS BY THIS  
INDICTMENT, ACCUSE THE DEFENDANTS OF THE CRIME OF ROBBERY IN THE  
FIRST DEGREE COMMITTED AS FOLLOWS:

THE DEFENDANTS, EACH AIDING THE OTHER AND ACTING IN  
CONCERT WITH OTHER PERSONS, ON OR ABOUT JULY 4, 1994, IN THE  
COUNTY OF QUEENS, FORCIBLY STOLE CERTAIN PROPERTY, TO WIT A GOLD  
NECKLACE, FROM NAZIM HANIF AND IN THE COURSE OF THE COMMISSION OF  
THE CRIME OR OF IMMEDIATE FLIGHT THEREFROM, THE DEFENDANTS CAUSED  
SERIOUS PHYSICAL INJURY TO NARIENDATH ITWARU WHO WAS NOT A  
PARTICIPANT IN THE CRIME.

THIRD COUNT

THE GRAND JURY OF THE COUNTY OF QUEENS BY THIS  
INDICTMENT, ACCUSE THE DEFENDANTS OF THE CRIME OF ROBBERY IN THE  
FIRST DEGREE COMMITTED AS FOLLOWS:

THE DEFENDANTS, EACH AIDING THE OTHER AND ACTING IN  
CONCERT WITH OTHER PERSONS, ON OR ABOUT JULY 4, 1994, IN THE  
COUNTY OF QUEENS, FORCIBLY STOLE CERTAIN PROPERTY, TO WIT: A  
GOLD NECKLACE FROM NAZIM HANIF, AND IN THE COURSE OF THE  
COMMISSION OF THE CRIME OR OF IMMEDIATE FLIGHT THEREFROM, THE

FOURTH COUNT

THE GRAND JURY OF THE COUNTY OF QUEENS BY THIS INDICTMENT, ACCUSE THE DEFENDANTS OF THE CRIME OF ASSAULT IN THE FIRST DEGREE COMMITTED AS FOLLOWS:

THE DEFENDANTS, EACH AIDING THE OTHER AND ACTING IN CONCERT WITH OTHER PERSONS, ON OR ABOUT JULY 4, 1994, IN THE COUNTY OF QUEENS, WITH INTENT TO CAUSE SERIOUS PHYSICAL INJURY TO NARIENDATH ITWARU, CAUSED SUCH INJURY TO NARIENDATH ITWARU BY MEANS OF A DANGEROUS INSTRUMENT, TO WIT: A KNIFE .

FIFTH COUNT

THE GRAND JURY OF THE COUNTY OF QUEENS BY THIS INDICTMENT, ACCUSE THE DEFENDANTS OF THE CRIME OF ROBBERY IN THE SECOND DEGREE COMMITTED AS FOLLOWS:

THE DEFENDANTS, EACH AIDING THE OTHER AND ACTING IN CONCERT WITH OTHER PERSONS, ON OR ABOUT JULY 4, 1994, IN THE COUNTY OF QUEENS ,BEING AIDED BY OTHER PERSONS ACTUALLY PRESENT, FORCIBLY STOLE CERTAIN PROPERTY, TO WIT: A GOLD NECKLACE FROM NAZIM HANIF.

SIXTH COUNT

THE GRAND JURY OF THE COUNTY OF QUEENS BY THIS INDICTMENT, ACCUSE THE DEFENDANTS OF THE CRIME OF ROBBERY IN THE SECOND DEGREE COMMITTED AS FOLLOWS:

THE DEFENDANTS, EACH AIDING THE OTHER AND ACTING IN CONCERT WITH OTHER PERSONS, ON OR ABOUT JULY 4, 1994, IN THE COUNTY OF QUEENS ,FORCIBLY STOLE CERTAIN PROPERTY, TO WIT, A GOLD NECKLACE FROM NAZIM HANIF, AND IN THE COURSE OF THE COMMISSION OF THE CRIME OR OF IMMEDIATE FLIGHT THEREFROM, THE DEFENDANTS CAUSED PHYSICAL INJURY TO NARIENDATH ITWARU, WHO WAS NOT A PARTICIPANT IN THE CRIME.

SEVENTH COUNT

THE GRAND JURY OF THE COUNTY OF QUEENS BY THIS  
INDICTMENT, ACCUSE THE DEFENDANTS OF THE CRIME OF CRIMINAL  
POSSESSION OF A WEAPON IN THE FOURTH DEGREE COMMITTED AS FOLLOWS:

THE DEFENDANTS, EACH AIDING THE OTHER AND ACTING IN  
CONCERT WITH OTHER PERSONS, ON OR ABOUT JULY 4, 1994, IN THE  
COUNTY OF QUEENS, KNOWINGLY AND UNLAWFULLY POSSESSED A DANGEROUS  
INSTRUMENT TO WIT: A KNIFE, WITH INTENT TO USE UNLAWFULLY  
AGAINST ANOTHER.

DISTRICT ATTORNEY

